

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

MARY W.,

Plaintiff,

v.

CIVIL ACTION NO. 2:23-cv-00045

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

Defendant.

**ORDER**

This action was referred to United States Magistrate Judge Cheryl A. Eifert for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. On November 7, 2023, Judge Eifert submitted her Proposed Findings & Recommendations (“PF&R”) [ECF No. 14], and recommended that the court deny Plaintiff’s request for judgment on the pleadings, grant the Commissioner’s request for judgment on the pleadings, affirm the decision of the Commissioner, and dismiss this case from the docket. Neither party filed objections to the PF&R, which were due by November 24, 2023.

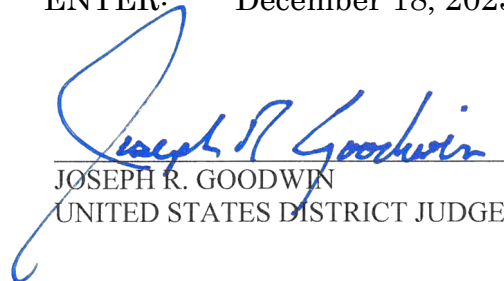
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge

as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R, [ECF No. 14], and orders judgment consistent therewith. As such, the court **AFFIRMS** the decision of the Commissioner, **GRANTS** the Commissioner's request for judgment on the pleadings, **DENIES** Plaintiff's request for judgment on the pleadings, and **DISMISSES** this civil action from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: December 18, 2023



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE